

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: : Date: January 26, 2004  
TOENSING : Group Art Unit: Unknown  
Serial No.: Not yet assigned : Examiner: Unknown  
Filed: Herewith :  
  
Title: STAKE REMOVAL TOOL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is a continuation-in-part utility patent application of Inventor(s):

James Toensing

For:

STAKE REMOVAL TOOL

**1. Type of Application**

This new application is for a

Continuation-in-part (CIP) under 37 C.F.R. § 1.53(b)

**2. Benefit of Prior U.S. Application(s) (35 U.S.C. § 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. application(s).

**3. Papers Enclosed**

A. Required for filing date under 37 CFR § 1.53(b)

20 Pages of specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to 37 C.F.R. § 1.71 and at least one claim pursuant to 37 C.F.R. § 1.75.  
5 Sheet(s) of drawings pursuant to 37 C.F.R. § 1.81(a).

[ X ] Informal

B. Other Papers Enclosed

2 Page(s) of declaration

**4. Declaration or oath**

[ X ] Enclosed and executed by  
[ X ] inventor(s).

**5. Inventorship Statement**

The inventorship for all the claims in this application are:

[ X ] The same.

**6. Language**

[ X ] English

**7. Fee Calculation (37 CFR § 1.16)**

[ X ] Utility application

<u>CLAIMS AS FILED</u>					
	Number Filed	Number Extra		Rate	Basic fee 37 CFR § 1.16(a) \$770.00
Total Claims (37 CFR § 1.16(c))	10 - 20 =	0	x	\$18.00	\$0.00
Independent Claims (37 CFR § 1.16(b))	3 - 3 =	0	x	\$84.00	\$0.00
Multiple dependent Claim(s), if any (37 CFR § 1.16(d))	0		x	\$280.00	\$0.00

Filing Fee Calculation \$770.00

[ X ] Small Entity [50% of fee]

Filing Fee Calculation \$385.00

**8. Fee Payment Being Made at this Time**

[ X ] Enclosed

[ X ] Filing fee \$385.00

Total fees enclosed \$385.00

**9. Method of Payment of Fees**

[ X ] Check in the amount of \$385.00

**10. Instructions as to Overpayment**

[X] Send refund to Applicant at Correspondence Address given in item 11 below.

**11. Correspondence Address**

The correspondence address for this application is:

James Toensing  
7930 S. Ash Avenue  
Tempe, Arizona 85284

Telephone calls regarding this application should be directed to James Toensing at (480) 413-2177. Facsimile correspondence regarding this application should be faxed to James Toensing at (480) 940-7079.

**12. Maintenance of Copendency of Prior Application**

- [ X ] Conditional Petition for Extension of Time in Prior Application
- [ X ] A conditional petition for extension of time is being filed in the pending prior application.
- [ X ] A copy of the conditional petition filed in the prior application is attached.

**13. Notification in Parent Application of this Filing**

- [ X ] A notification of the filing of this
- [ X ] continuation-in-part is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120 or 121.

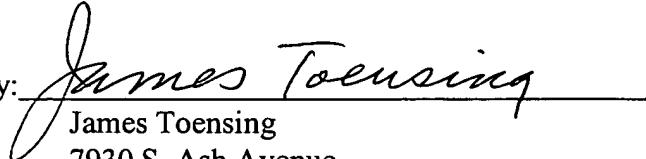
**14. Statement Where no Further Pages Added**

[ X ] This transmittal ends with this page.

Respectfully submitted,

Dated: Jan 26, 04

By:

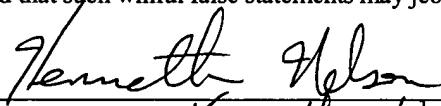
  
James Toensing

7930 S. Ash Avenue  
Tempe, Arizona 85284  
Telephone: (480) 413-2177  
Facsimile: (480) 940-7079

**CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. 1.10.**

I hereby certify that this document (and any as referred to as being attached or enclosed) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service, mailing label No. ET225201879US on January 26, 2004 and addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Printed Name: Kenneth Nelson

Title: STAKE REMOVAL TOOL  
Serial No. 10/224,708  
Petition to Extend Time Under 37 C.F.R. § 1.136(a)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: : January 26, 2004  
TOENSING : Group Art Unit: 3652  
Application Serial No.: 10/224,708 : Examiner: Dean J. Kramer  
Filed: August 20, 2002 :  
Title: STAKE REMOVAL TOOL

**PETITION TO EXTEND TIME UNDER 37 C.F.R. §1.136(a)**

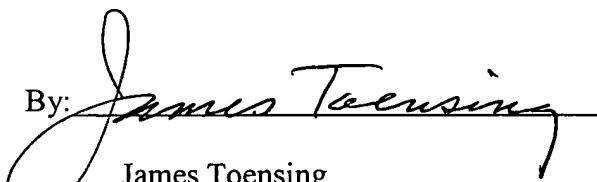
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated September 26, 2003 for one month, from December 26, 2003 to January 26, 2004.

A check in the amount of \$55.00 is enclosed. This Petition is submitted in triplicate.

Respectfully submitted,

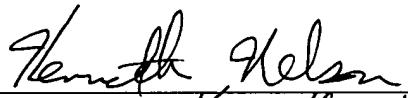
By:   
James Toensing  
7930 S. Ash Avenue  
Tempe, Arizona 85284  
Telephone: (480) 413-2177  
Facsimile: (480) 940-7079

Title: STAKE REMOVAL TOOL  
Serial No. 10/224,708  
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\_\_\_\_\_  
Printed Name: Kenneth Nelson



16569 U.S.PTO  
012604

January 26, 2004

**VIA U.S. EXPRESS MAIL**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application  
Title: STAKE REMOVAL TOOL  
Filed: Herewith  
Docket No.: 133788

Dear Sir/Madam:

Enclosed herewith for filing in the above-identified application are the following:

1. Specification (20 pgs.);
2. Informal Drawings (5 pgs.);
3. Declaration (2 pgs.);
4. New Application Transmittal (5 pgs.);
5. Petition to extend time under 37 C.F.R. §1.136(a) + two copies (6 pgs.);
6. Check in the amount of \$385.00; and
7. Self-addressed, prepaid postcard to acknowledge receipt of documents.

Very truly yours,

James Toensing

Enclosures

Title: STAKE REMOVAL TOOL

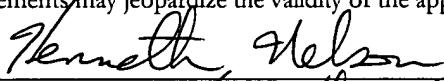
January 26, 2004

Page 2

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\_\_\_\_\_  
Printed Name: Kenneth Nelson